

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

REPORT AND RECOMMENDATION

On November 16, 2011, defendant filed a motion for a judicial determination of mental competency. Defendant was examined by David E. Morrow, Ph.D., a forensic psychologist, who prepared a report which was filed on February 21, 2012.

On March 13, 2012, I held a competency hearing. Defendant was present, represented by Daniel Ross. The government was represented by Assistant United States Attorney John Cowles. The parties stipulated to the contents and findings of Dr. Morrow's report as the only evidence of whether the defendant is competent to stand trial and to assist in his defense (Tr. at 2).¹

Based upon the uncontroverted evidence stipulated to by the parties in this case, I find that the defendant is competent to stand trial and to assist in his defense. Therefore, it is RECOMMENDED that the court, after making an independent review of the record and applicable law, enter an order finding defendant competent to stand trial and to assist in his defense.

¹"Tr". refers to the transcript of the competency hearing.

The parties waived the 14-day objection period (Tr. at 3); therefore, it is

ORDERED that any objections to the Report and Recommendation shall be filed by March 29, 2012.

/s/ Robert E. Larsen
ROBERT E. LARSEN
United States Magistrate Judge

Kansas City, Missouri
March 28, 2012